

Order

Michigan Supreme Court
Lansing, Michigan

July 6, 2018

Stephen J. Markman,
Chief Justice

156458

Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein
Kurtis T. Wilder
Elizabeth T. Clement,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 156458
COA: 332734
Eaton CC: 15-020176-FH

JAMES DAVID URBAN,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the August 31, 2017 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other action. MCR 7.305(H)(1).

The appellant shall file a supplemental brief within 42 days of the date of this order addressing: (1) whether the Court of Appeals in *People v Coy*, 243 Mich App 283, 302 (2000), set forth the appropriate standard for the admission of a potential DNA match when it held that “some qualitative or quantitative interpretation must accompany evidence of the potential match,” (2) if not, what standard should govern the admission of a potential DNA match, and (3) whether, under the appropriate standard, the potential DNA match was properly admitted in this case, where the expert’s report indicated that the match was supported to a “reasonable degree of scientific certainty.” In addition to the brief, the appellant shall electronically file an appendix conforming to MCR 7.312(D)(2). In the brief, citations to the record must provide the appendix page numbers as required by MCR 7.312(B)(1). The appellee shall file a supplemental brief within 21 days of being served with the appellant’s brief. The appellee shall also electronically file an appendix, or in the alternative, stipulate to the use of the appendix filed by the appellant. A reply, if any, must be filed by the appellant within 14 days of being served with the appellee’s brief. The parties should not submit mere restatements of their application papers.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

July 6, 2018

Clerk